

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

IN RE:
TIMOTHY HAYS

)
)
) CASE NO. 19-61106
)

SUGGESTIONS IN DEATH

COMES NOW the Debtor, Timothy Hays, by and through Attorney, Shari K. DeArmon and for his Suggestions in Death states and avers as follows:

1. Debtor states that he filed a Chapter 13 bankruptcy with the Court on September 11, 2019; that the case was set for a 341 hearing on November 20, 2019, and he appeared at the time of the hearing; that Debtor passed away on January 13, 2022, but Debtor's attorney recently was told of same. Further, Debtor's attorney has requested a death certificate from the family but has not received a copy to date;

2. Debtor further suggests to the Court that Debtor be granted a discharge in bankruptcy before the proposed Chapter 13 plan is not completed as provided in the U.S. Bankruptcy Rules (Rule 1016) wherein it states as follows:

“Death or incompetency of the debtor shall not abate.....If a reorganization...or individual's debt adjustment case is pending under chapter 11, chapter 12, or chapter 13, the case may be dismissed or if further administration is possible and in the best interest of the parties, the case may proceed and be concluded in the same manner, so far as possible, as though the death or incompetency had not occurred.”

/s/ Shari DeArmon
SHARI K. DeARMON

Shari K. DeArmon
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Springfield, MO 65803
417/862-3706
Attorney for Debtor(s)
Missouri Bar NO. 36321

CERTIFICATE OF SERVICE

I, Shari K. DeArmon, do hereby certify that a true and correct copy of the foregoing document was forwarded electronically to Richard Fink, Trustee and by U.S. Mail to all creditors on the mailing matrix on this 1st day of February, 2023.

/s/ Shari DeArmon
SHARI K. DeARMON